

Office as chief deputy Attorney General for State counsel. In this role, she manages 250 attorneys and oversees more than 8,000 active cases, including prosecution and defense actions in State and Federal court on behalf of State officials, the State legislature, and State agencies. Nearly the entirety of Ms. Merchant's practice has involved litigation and the vast majority of her experience has been in Federal court. She is a seasoned litigator whose expertise will be an asset to the Eastern District of New York. The American Bar Association has rated Ms. Merchant as "qualified," and she has the strong support of Senators SCHUMER and GILLIBRAND.

I will be supporting her nomination, and I urge my colleagues to do so as well.

Mr. KENNEDY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HEINRICH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HEINRICH. Mr. President, I ask unanimous consent that the vote begin immediately.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### VOTE ON MERCHANT NOMINATION

The question is, Will the Senate advise and consent to the Merchant nomination?

Mr. HEINRICH. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The result was announced—yeas 51, nays 48, as follows:

[Rollcall Vote No. 107 Ex.]

#### YEAS—51

Baldwin	Heinrich	Reed
Bennet	Hickenlooper	Rosen
Blumenthal	Hirono	Sanders
Booker	Kaine	Schatz
Brown	Kelly	Schumer
Cantwell	King	Shaheen
Cardin	Klobuchar	Sinema
Carper	Lujan	Smith
Casey	Manchin	Stabenow
Coons	Markey	Tester
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warnock
Fetterman	Murray	Warren
Gillibrand	Ossoff	Welch
Graham	Padilla	Whitehouse
Hassan	Peters	Wyden

#### NAYS—48

Barrasso	Cassidy	Daines
Blackburn	Collins	Ernst
Boozman	Cornyn	Fischer
Braun	Cotton	Grassley
Britt	Cramer	Hagerty
Budd	Crapo	Hawley
Capito	Cruz	Hoeben

Hyde-Smith	Mullin	Scott (FL)
Johnson	Murkowski	Scott (SC)
Kennedy	Paul	Sullivan
Lankford	Ricketts	Thune
Lee	Risch	Tillis
Lummis	Romney	Tuberville
Marshall	Rounds	Vance
McConnell	Rubio	Wicker
Moran	Schmitt	Young

#### NOT VOTING—1

Feinstein

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is and laid upon the table, and the President will be immediately notified of the Senate's action.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 127, Wesley L. Hsu, of California, to be United States District Judge for the Central District of California.

Charles E. Schumer, Richard J. Durbin, Brian Schatz, John W. Hickenlooper, Margaret Wood Hassan, Gary C. Peters, Mark Kelly, Jack Reed, Tammy Duckworth, Christopher Murphy, Sheldon Whitehouse, Catherine Cortez Masto, Mazie Hirono, Benjamin L. Cardin, Jeanne Shaheen, Tammy Baldwin, Angus S. King, Jr., Alex Padilla, Robert Menendez, Michael F. Bennet.

The PRESIDING OFFICER. By unanimous consent the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Wesley L. Hsu, of California, to be United States District Judge for the Central District of California, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The yeas and nays resulted—yeas 54, nays 45, as follows:

[Rollcall Vote No. 108 Ex.]

#### YEAS—54

Baldwin	Hassan	Padilla
Bennet	Heinrich	Peters
Blumenthal	Hickenlooper	Reed
Booker	Hirono	Rosen
Brown	Kaine	Sanders
Cantwell	Kelly	Schatz
Cardin	King	Schumer
Carper	Klobuchar	Shaheen
Casey	Lujan	Sinema
Collins	Manchin	Smith
Coons	Markey	Stabenow
Cortez Masto	Menendez	Tester
Duckworth	Merkley	Tillis
Durbin	Murkowski	Van Hollen
Fetterman	Murphy	
Gillibrand	Murray	
Graham	Ossoff	

Warner	Warren	Whitehouse
Warnock	Welch	Wyden

#### NAYS—45

Barrasso	Fischer	Paul
Blackburn	Grassley	Ricketts
Boozman	Hagerty	Risch
Braun	Hawley	Romney
Britt	Hoeben	Rounds
Budd	Hyde-Smith	Rubio
Capito	Johnson	Schmitt
Cassidy	Kennedy	Scott (FL)
Cornyn	Lankford	Scott (SC)
Cotton	Lee	Sullivan
Cramer	Lummis	Thune
Crapo	Marshall	Tuberville
Cruz	McConnell	Vance
Daines	Moran	Wicker
Ernst	Mullin	Young

#### NOT VOTING—1

Feinstein

(Mr. Kaine assumed the Chair.)

(Mr. HICKENLOOPER assumed the Chair.)

The PRESIDING OFFICER (Ms. CORTEZ MASTO). On this vote, the yeas are 54, the nays are 45.

The motion is agreed to.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Wesley L. Hsu, of California, to be United States District Judge for the Central District of California.

#### LEGISLATIVE SESSION

DISAPPROVING THE RULE SUBMITTED BY THE DEPARTMENT OF COMMERCE RELATING TO "PROCEDURES COVERING SUSPENSION OF LIQUIDATION, DUTIES AND ESTIMATED DUTIES IN ACCORD WITH PRESIDENTIAL PROCLAMATION 10414"

PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE RULE SUBMITTED BY THE UNITED STATES FISH AND WILDLIFE SERVICE RELATING TO "ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LESSER PRAIRIE-CHICKEN; THREATENED STATUS WITH SECTION 4(D) RULE FOR THE NORTHERN DISTINCT POPULATION SEGMENT AND ENDANGERED STATUS FOR THE SOUTHERN DISTINCT POPULATION SEGMENT"

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to legislative session.

The Committee on Environment and Public Works is discharged from further consideration of S.J. Res. 9; and the Senate will proceed to the en bloc consideration of H.J. Res. 39, which was received from the House, and S.J. Res. 9, which the clerk will report.

The senior assistant legislative clerk read as follows: